

Chapter 7

MAINTENANCE OF VEGETATION

7.1 General

Maintenance of vegetation includes any method intended to alter or regulate the normal growth process of plants. Manual or mechanical methods, or the use of herbicides or plant (tree) growth regulators, may be allowed based upon site specific safety requirements.

Safety, aesthetics, and the preservation of desired vegetation are prime considerations in the maintenance of vegetation. Vegetation maintenance will not detract from the natural beauty of the roadside and shall not provide or appear as an abrupt change in roadside vegetation conditions to the greatest extent practical. Except for tree trimming in Section 7.2, the removal, cutting, or destruction of any vegetation within **FDOT's** R/W is prohibited unless authorized by **FDOT** for invasive, undesirable, or exotic species. A forty eight (48) hour minimum notice shall be given to the respective local Maintenance Engineer prior to the performance of operations.

7.2 Tree Trimming

Under **Section 337.405, F.S.**, the trimming of trees where required to ensure and maintain the safe operation of utility facilities is allowed by the original permit, provided such trimming is performed in accordance with recognized and approved principles of modern vegetation control methods, with emphasis on tree health. Such trimming shall not unnecessarily damage trees and shrubs that are intended to remain in the work area. The use of mechanical tree trimming machines will be permitted as part of routine maintenance. All waste and debris associated with the trimming shall be removed from **FDOT** R/W, unless otherwise approved in writing where the **FDOT** has arranged for removal by other forces. When trimming does irreparable damage to trees or shrubs or causes the vegetation to die, the Permittee shall replace this vegetation with material as described in Section 6.1.11 of the **UAM**.

7.3 Removal of Vegetation

Manual or mechanical cutting of vegetation will be permitted on a routine or periodic basis, provided that the limits of work do not extend beyond the limits necessary for the proper maintenance of the utility facility. Grasses shall be mowed or cut to a height of not less than five (5) inches and in such a manner as to promote low growing ground cover species. Mowing equipment shall be so equipped and operated in a manner to preclude the throwing of debris that would create a safety hazard.

In areas dominant in brush, the UAO may remove or cut flush with the ground those trees (less than four (4) inches in diameter or larger, with the approval of the District Maintenance Engineer) interfering or likely to interfere with the safe maintenance and operation of the utility. All undergrowth is to remain natural. Brush cuttings or debris discharged into the routinely maintained limits of the R/W shall be removed by UAO. Stockpiling of debris for

later disposal is allowed outside the mowing limits and clear recovery zone. The distribution of chips outside the mowing limits and clear recovery zone, or beneath existing trees at a uniform thickness will also be allowed with the prior approval of the Maintenance Engineer.

See Section 6.1.11 regarding vegetation removal and restoration.

7.4 Chemical Control of Vegetation

Authorization to control vegetation chemically must be secured in advance, in writing, with a minimum of forty eight (48) hours advance notice given to the respective local Maintenance Engineer prior to the application of the chemicals. All requests shall be submitted in a written proposal that outlines the extent of the intended work, the type of herbicides or plant (tree) growth regulators, including labels and material safety data sheets that are intended for use, and the intended timing and techniques of application. The Resident Maintenance Office must also be furnished documentation that the Permittee's herbicide applicator, whether a utility staff person or contractor, is certified to apply herbicides as part of the permit request.

The use of herbicides and plant (tree) growth regulators for the purpose of chemically maintaining vegetation may be approved by the local Maintenance Engineer on a site or location specific basis. Application for chemical control will be considered on an individual basis and authorization shall not be interpreted as giving permission to extend beyond the specified limits or the provisions of the work.

Regardless of the method used by the Permittee for control of vegetation, liability for damage to adjacent property and the **FDOT's** R/W rests solely and entirely with the Permittee. The Utility must comply with all applicable Federal and State regulations.

No application will be permitted on vegetation greater than six (6) feet in height that will create an undesirable appearance or undesired browning or color change of vegetation. Special height considerations may be given to locations where physical manmade obstructions preclude or prevent the reducing of vegetation to the six (6) feet height. Applications at a height of greater than six (6) feet may be authorized by the Maintenance Engineer in areas with rapid plant growth or in the control of invasive exotic vegetation providing the dead plant material is removed, chipped, or mulched following successful performance of the herbicides. Vegetation that is to be maintained chemically shall be treated while in the first growing season after mowing or before it has reached a height of six (6) feet.

The Permittee or its contractor shall not use any herbicide that is labeled as restricted use or contains the active ingredient sulfonyl urea or any sulfonyl urea family of chemicals.

Neither the Permittee nor its contractor shall apply non-selective or residual herbicides to roadside turf grasses or apply any chemical of any type or rate that causes permanent injury to desirable vegetation or that may result in bare ground. Exceptions will be authorized by the District Maintenance Engineer when the treatment of invasive exotic vegetation is of more importance than preservation of desirable plants.

Individual stem and solid stream treatments that result in spot or narrow band control are permitted pursuant to State law and regulations. For examples of when other agency regulations or laws may apply, see the following:

- **Rule 5E-2, Pesticides, F.A.C.**
- **Chapter 487, Florida Statutes**

Where specific plants have been selected and preserved, they shall be protected against damage by the herbicide treatment of adjacent vegetation. Careless or excessive applications will not be tolerated. Special precautions must be taken with all herbicide applications to ensure that they are made in accordance with all environmental considerations and associated regulations.

Personnel shall be trained, experienced, and competent in the particular type of work they are engaged in and licensed according to applicable federal and state law. Only experienced personnel having a thorough understanding of herbicide application and the technical complexities in this field of expertise are to be allowed to apply these chemicals.

A complete copy of the records detailing the dates, location, materials, rates, weather, and other relevant data, as required by federal and state law, shall be maintained by the Permittee and provided to the **FDOT** upon request.

Misuse or unsatisfactory performance results or failure to comply with these provisions constitute sufficient cause for the denial of future use of chemicals for vegetation control.